

DRAFT

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4 April 72 25X1A
[Redacted]
29 March 1972 / *Duns*

MEMORANDUM FOR: All OCS Employees

SUBJECT : Response to IBM Statements on Non-
disclosure Policy

Let's try
This! 25X1A
[Redacted]

1. On numerous occasions when CIA has requested technical information from the IBM Corporation, this information has been refused. The stated grounds have variously been:

- a. The information is IBM proprietary.
- b. IBM's legal counsel will not permit IBM to divulge it on the grounds that this might adversely affect IBM's legal position in a pending anti-trust suit.
- c. Disclosing the information would make CIA privy to IBM internal data not regularly available to other customers.
- d. Such confidential information might influence CIA to plan on a basis which might later prove to be erroneous (presumably following some future IBM decision to change the product or not to market it).

2. You are requested to reply to such assertions in the following way:

"IBM's reply is viewed as unacceptable and unresponsive to the request made by CIA. In refusing to divulge the

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"requested information the IBM Corporation is denying to CIA data necessary to the efficient management and orderly planning of ADP."


3. You are further requested in all such cases to prepare a short memorandum for the record noting the request made, IBM's reply, and your response to it. This should be done ^{also} ~~even~~ in cases where IBM agrees to release the information on a confidential basis.

4. In no case should an OCS employee imply in any way that IBM's refusal to furnish CIA with information is an expected, normal and understood attitude.

JOHN D. IAMS
Director of Computer Services

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TRANSMITTAL SLIP		DATE	3/31/72
TO:			
ROOM NO.	BUILDING		
7 D 07	Hq.		
REMARKS:			
<p>This is what I propose to put out to my people. Any problems?</p> <div style="text-align: right; margin-right: 50px;"> <i>4114</i> <i>3/31/72</i> </div> <div style="text-align: center; margin: 20px 0;">  </div> <p><i>we backed down first. man Kodak on this problem. Also in the anti-trust suit the court apparently expects to deal with proprietary information</i></p>			
FROM: <i>any need to check this with Jack Iams, D/OCS Justice?</i>			
ROOM NO.	BUILDING	EXTENSION	
2 E 29	Hq.		

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8 WHICH MAY BE USED.

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